



US Army Corps of Engineers

Vicksburg District
4155 Clay Street
Vicksburg, MS 39183-3435



Public Notice

APPLICATION NO.:	MVK-2004-963
EVALUATOR:	Ms. Anne Woerner
PHONE NO.:	(601) 631-5298
FAX NO.:	(601) 631-5459
E-MAIL:	regulatory@mvk02.usace.army.mil
DATE:	November 15, 2004
EXPIRATION DATE:	December 6, 2004

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Vicksburg District, and the Mississippi Department of Environmental Quality, are considering an application for a Department of the Army permit and State water quality certification for the work described herein. Comments should be forwarded to the Vicksburg District, Attention: CEMVK-OD-F, at the above address and the Mississippi Department of Environmental Quality, Office of Environmental Services, Post Office Box 10385, Jackson, Mississippi 39189-0385, and must reach these offices by the cited expiration date.

Law Requiring a Permit: Section 404 of the Clean Water Act (33 U.S.C. 1344), which applies to discharges of dredged or fill material into waters of the United States.

Name of Applicant:

Mr. Terry Jenkins
Live Oaks Place
Post Office Box 23579
Jackson, Mississippi 39225

Name of Agent:

Ms. Anna Schoonover
Solutions, Incorporated
Post Office Box 820127
Vicksburg, Mississippi 39182-0127

Location of Work: Section 36 T5N-R2E, latitude 32.2297°, longitude -90.0464°, within the Pearl River drainage basin, Rankin County, Mississippi.

Description of Work: (See enclosed map and drawings.)

The following descriptions of the proposed project and associated impacts are based upon information provided by the applicant.

The applicant is applying for a Department of the Army permit to place fill into wetlands and other waters of the United States associated with the development of a 200-acre site within Live Oaks Subdivision. The fill is necessary for house pads, roadways, and road crossings.

The fill for the proposed activities would consist of 656 cubic yards of asphalt for roadways, 7,128 cubic yards of earth fill for house pads, 1,197 cubic yards of earth fill for roadways, 497.5 cubic yards of concrete for curbs, and 2,335 cubic yards of concrete for house foundations and sidewalks. Approximately 4,537 cubic yards of muck would be excavated for the development and deposited in uplands.

Two single span bridges would be constructed over the unnamed drain. The northeastern portion of this drain has been previously disturbed and approximately 2,045 feet of this drain would be widened by excavating and sloping the banks. The drain in the southwestern corner of the project site would remain in its natural sinuous state; however, a relief ditch 766 feet long would be constructed, as shown in the drawings, and would be constructed in a manner to allow the natural drain to function except during times of high water flows. A series of check dams would be constructed with the top elevation of each dam set 1-foot lower than the existing top bank elevation so that the natural drain takes the flow first. When the natural drain is full, the excess flow will spill over into the relief ditch.

There are 7.43 acres of wooded wetlands, 2.72 acres of herbaceous wetlands, 3,916 linear feet (1.0 acre) of an intermittent stream that will be adversely impacted. The proposed site is comprised primarily of sweet gum, water oak, black gum, soft rush, and red maple. The major soil types within the site are Tippah silt loam and Gillsburg silt loam. Five ephemeral tributaries on the project site totaling 4,022 linear feet (0.5 acre) would not be adversely impacted.

Mitigation in the form of stream bank restoration for the unavoidable impacts to wetland functions and values would be conducted on-site, and any remaining credits would be purchased from an approved mitigation bank in the same drainage basin.

The purpose of this project is to provide housing in the Rankin County, Mississippi area.

The placement of dredged and/or fill material in waters of the United States associated with the mechanized land clearing and placement of fill material requires a Department of the Army Permit.

Upon reviewing this notice, you should write to this office to provide your opinion of the impacts this work will have on the natural and human environment and address any mitigation you believe is necessary to offset these impacts. Other comments are welcome, but the above information will further our review of the applicant's plan as proposed. Comments of a general nature are not as helpful as those specific to the impacts of the subject project.

State Water Quality Permit: The State Pollution Control Agency must certify that the described work will comply with the State's water quality standards and effluent limitations before a Corps permit is issued.

Cultural Resources: An initial review indicates that the proposed project would not affect any of the sites in Hinds County, Mississippi in the National Register of Historic Places. Copies of this notice have been sent to the State Historic Preservation Officer, Federally Recognized Tribes, the Corps archaeologists, and other interested parties for comment on potential effects to cultural resources that could result from this activity.

Endangered Species: Our initial finding is that the proposed work would not affect any endangered species or their critical habitat. This proposal is being coordinated with the U.S. Fish and Wildlife Service, and any comments regarding endangered species or their critical habitat will be addressed in our evaluation of the described work.

Flood Plain: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed development described in this public notice and apprise this office of any flood plain development permit requirements.

Evaluation Factors: The decision whether or not to issue a permit will be based upon an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that may be expected to accrue from the proposal must be balanced against its expected adverse effects. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality, energy needs, safety, food requirements and, in general, the needs and welfare of the people. Evaluation of the proposed activity will include application of the guidelines published by the Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act.

Public Involvement: The purpose of this notice is to solicit comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties. These comments will be used to evaluate the impacts of this project. All comments will be considered and used to help determine whether to issue the permit, deny the permit, or issue the permit

with conditions, and to help us determine the amount and type of mitigation necessary. This information will be used in our Environmental Assessment or Impact Statement. Comments are also used to determine the need for a public hearing.

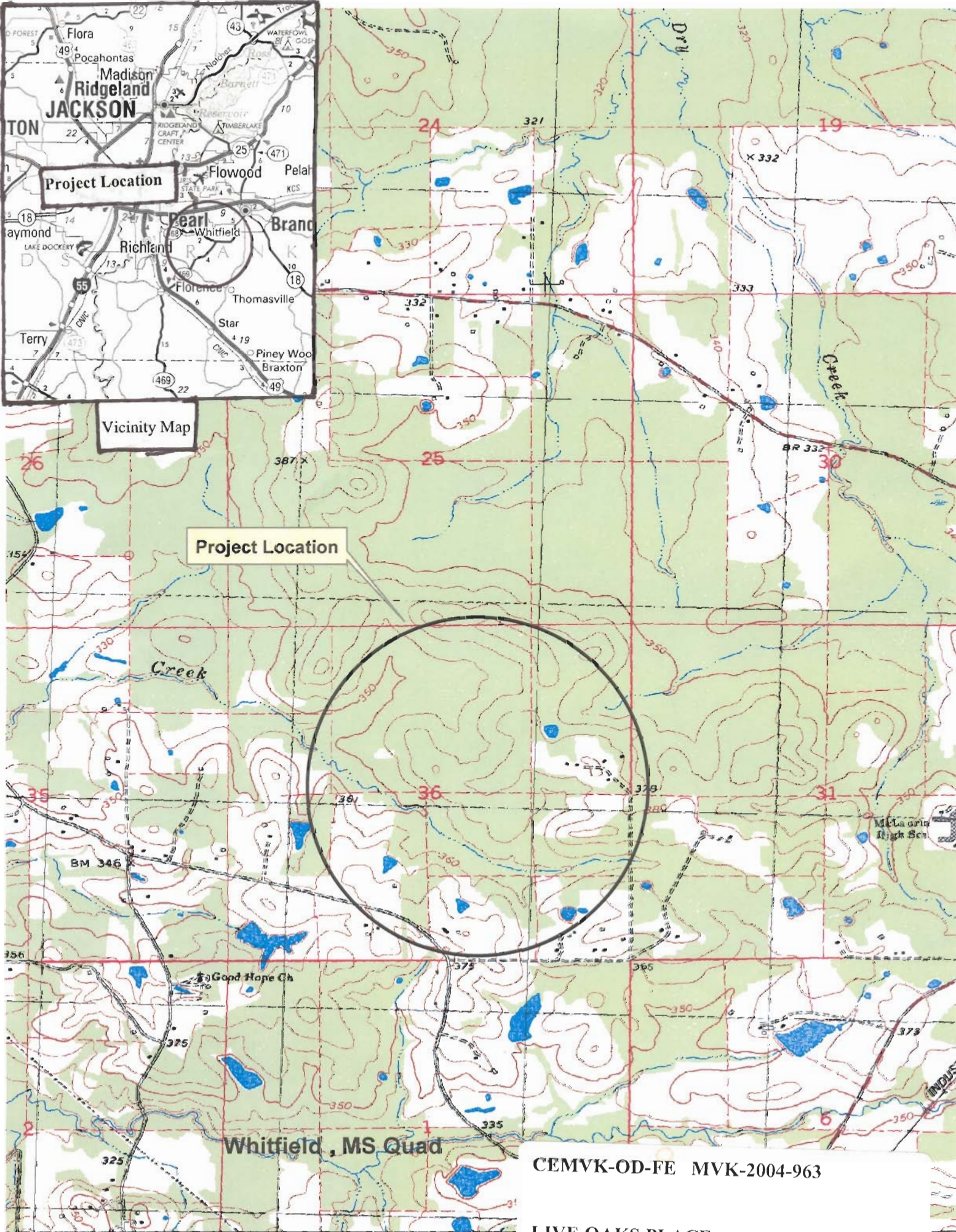
Opportunity for a Public Hearing: Any person may make a written request for a public hearing to consider this permit application. This request must be submitted by the public notice expiration date and must clearly state why a hearing is necessary. Failure of any agency or individual to comment on this notice will be interpreted to mean that there is no objection to the proposed work. Please bring this announcement to the attention of anyone you know who might be interested in this matter.

Notification of Final Permit Actions: Each month, the final permit actions from the preceding month are published on the Vicksburg District Regulatory web page. To access this information, you may follow the link from the Regulatory web page, <http://www.mvk.usace.army.mil/offices/od/odf/main.asp>, or go directly to the Final Permit Actions web page at <http://www.mvk.usace.army.mil/offices/od/odf/PubNotice/MonthlyNotice/pnmain.asp>.

W. Harold Lee
Team Leader
Evaluation Section

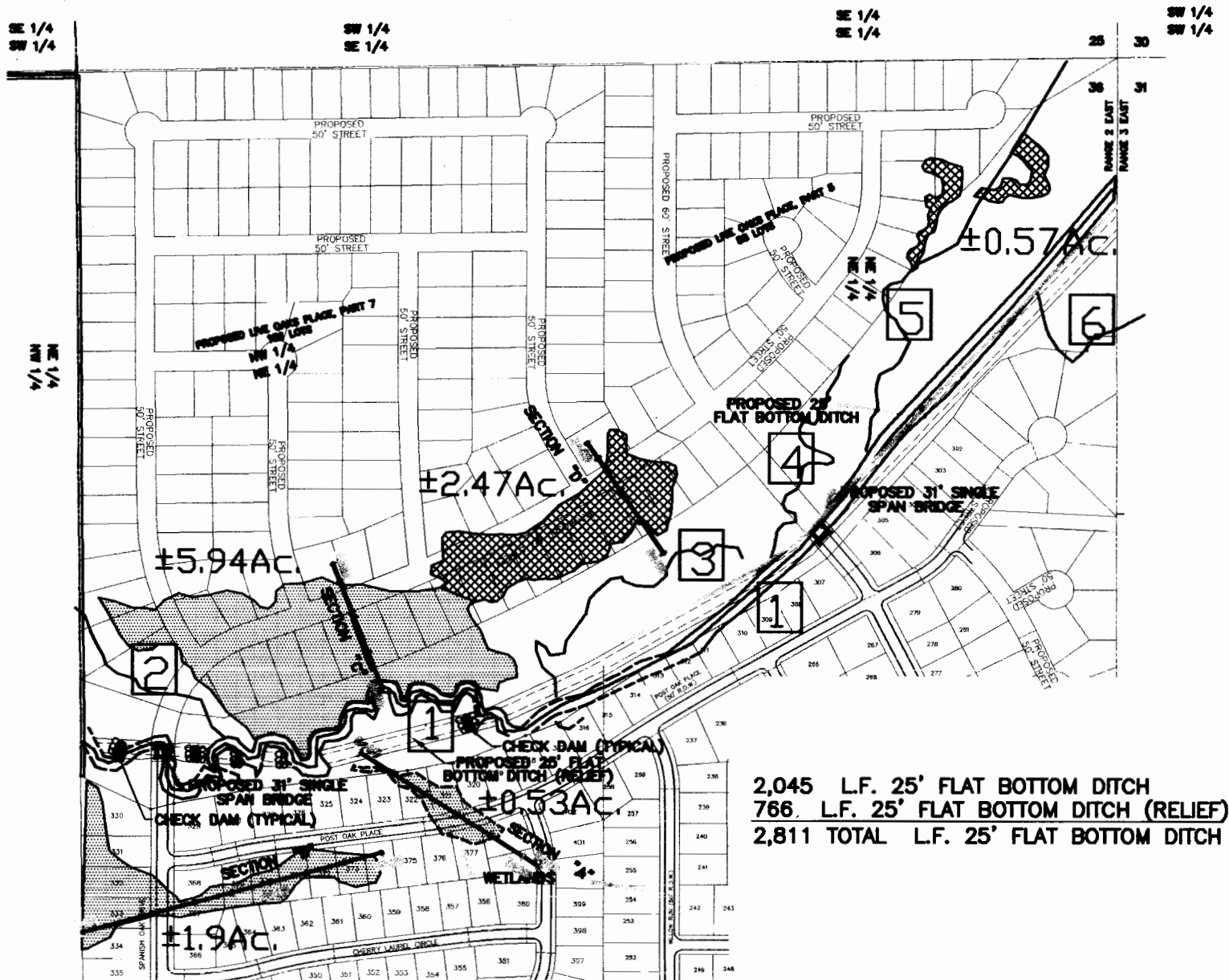


Vicinity Map

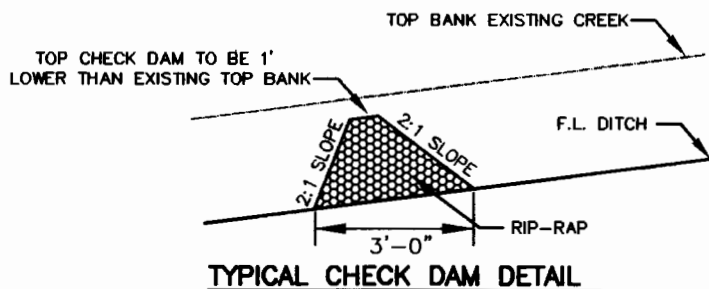


CEMVK-OD-FE MVK-2004-963

LIVE OAKS PLACE



2,045 L.F. 25' FLAT BOTTOM DITCH
 766 L.F. 25' FLAT BOTTOM DITCH (RELIEF)
 2,811 TOTAL L.F. 25' FLAT BOTTOM DITCH



- “other waters of U.S.”
 ±7,938 L.F., 1.5 Acres
- ① ±3,916 LF, X 12'
 - ② ±565 LF, X 5'
 - ③ ±911 LF, X 5'
 - ④ ±843 LF, X 4'
 - ⑤ ±1,266 LF, X 5'
 - ⑥ ±437 LF, X 8'

WOODED WETLANDS AREA TO BE IMPACTED =
 3.04 ACRES +/-

OPEN FIELD WETLANDS AREA TO BE IMPACTED =
 8.37 ACRES +/-

EXHIBIT
 FOR

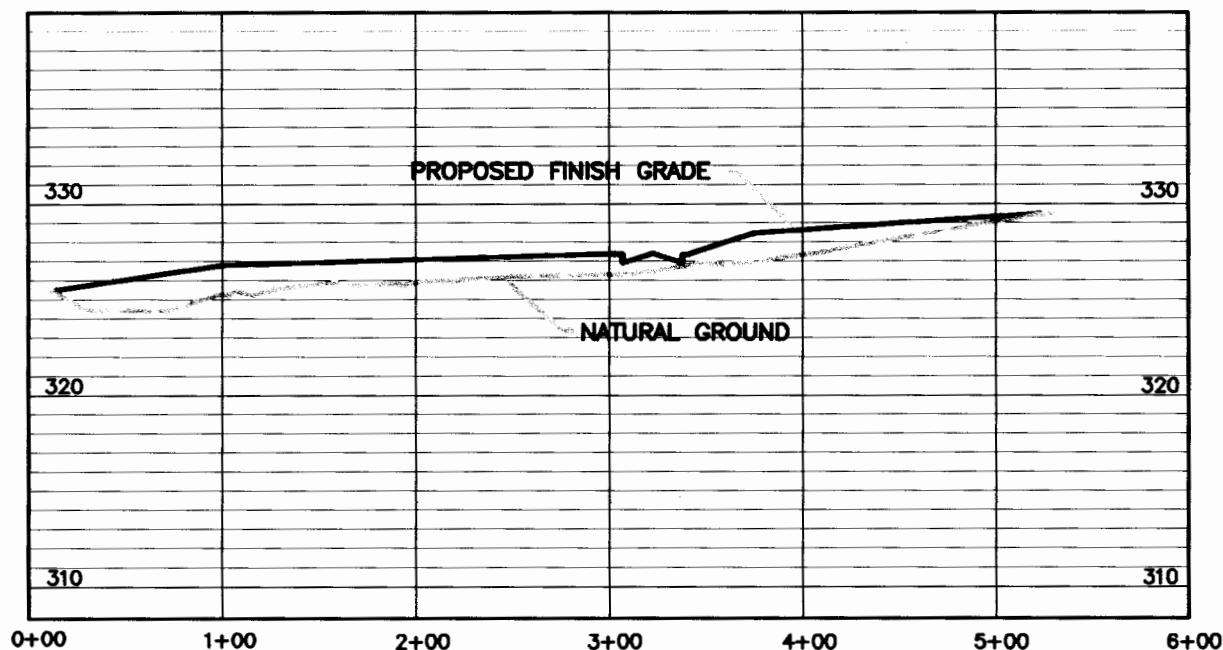
LIVE OAKS PLACE — PHASE 1 PART 5

SITUATION CEMVK-OD-FE MVK-2004-963
 SOUTHWEST 1/4 OF
 THE NORTHWEST 1/4
 OF SE
 TOWNSHIP 5 NORTH
 RANKIN COUNTY
LIVE OAKS PLACE

H D LANG AND ASSOCIATES, INC.
 ENGINEERS / LAND SURVEYORS
 POST OFFICE BOX 16085
 JACKSON, MISSISSIPPI 39236-6085
 (601) 362-4886

JOB NO. 98-118
 SCALE: 1" = 400'
 MARCH 16, 2004

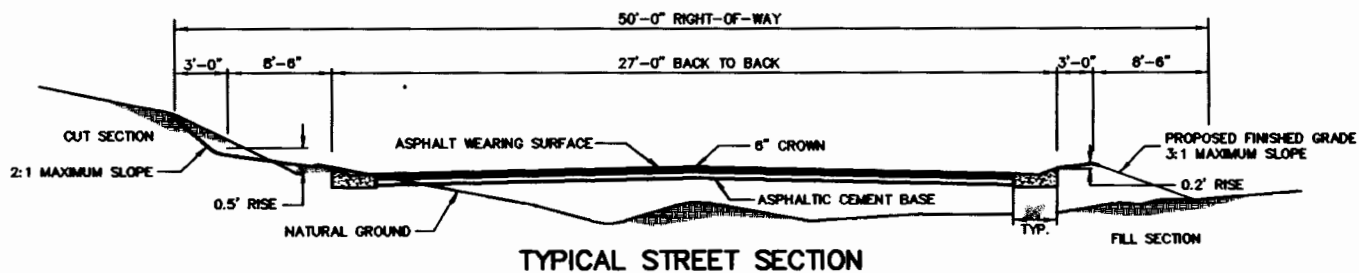
SHEET NO. 1



SECTION "A"
(SEE SHEET NO. 1)

ASPHALT COVERAGE = 49 C.Y.
MUCK EXCAVATION = 815 C.Y.
FILL MATERIAL = 1,830 C.Y. IN WETLANDS

CONCRETE (HOUSE FOUNDATIONS & SIDE WALKS) = 84.9 C.Y.
CONCRETE (CURB & GUTTER) = 21.2 C.Y.
TOTAL CONCRETE COVERAGE = 106.1 C.Y.



TYPICAL STREET SECTION

1 1/2" WEARING SURFACE WITH 5" ASPHALTIC CEMENT BASE

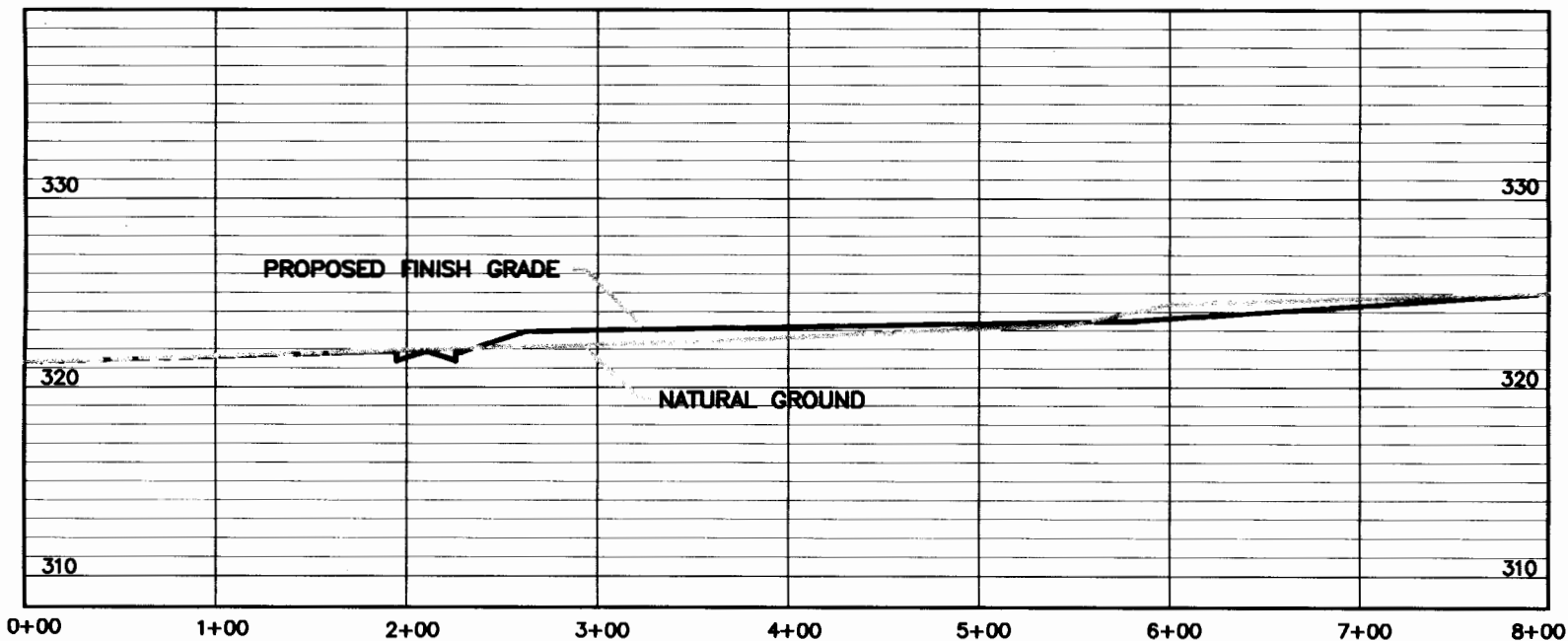
**EXHIBIT
FOR
LIVE OAKS PLACE - PHASE 1, PART 5**

SOUTHWEST 1/4
THE NORTHWEST
TOWNSHIP 5
RANKIN
CEMVK-OD-FE MVK-2004-963
LIVE OAKS PLACE

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JOB NO. 98-118
SCALE: 1" = 100' HORIZ.
SCALE: 1" = 10' VERT.

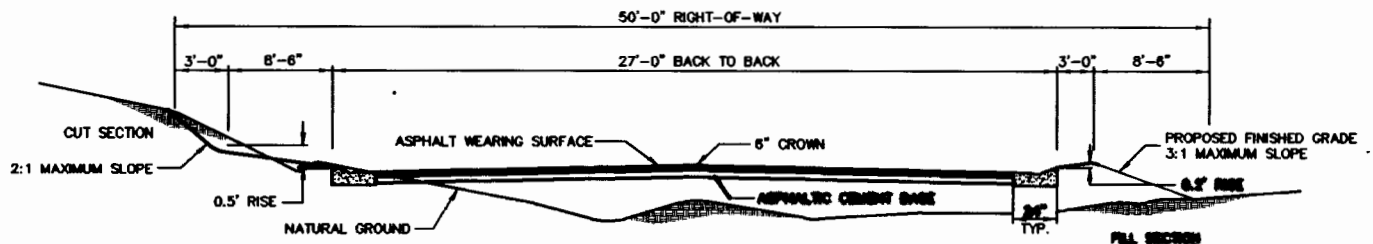
MARCH 16, 2004
SHEET 2



SECTION "B"
(SEE SHEET NO. 1)

ASPHALT COVERAGE = 37 C.Y.
MUCK EXCAVATION = 742 C.Y.
FILL MATERIAL = 2,500 C.Y. IN WETLANDS

CONCRETE (HOUSE FOUNDATIONS & SIDE WALKS) = 425 C.Y.
CONCRETE (CURB & GUTTER) = 16 C.Y.
TOTAL CONCRETE COVERAGE = 441 C.Y.



TYPICAL STREET SECTION

1 1/2" WEARING SURFACE WITH 5" ASPHALTIC CEMENT BASE

**EXHIBIT
FOR
LIVE OAKS PLACE - PHASE 1, PART 5**

SITUATED IN THE
SOUTHWEST 1/4
THE NORTHWEST CEMVK-OD-FE MVK-2004-963
TOWNSHIP 5
RANKIN

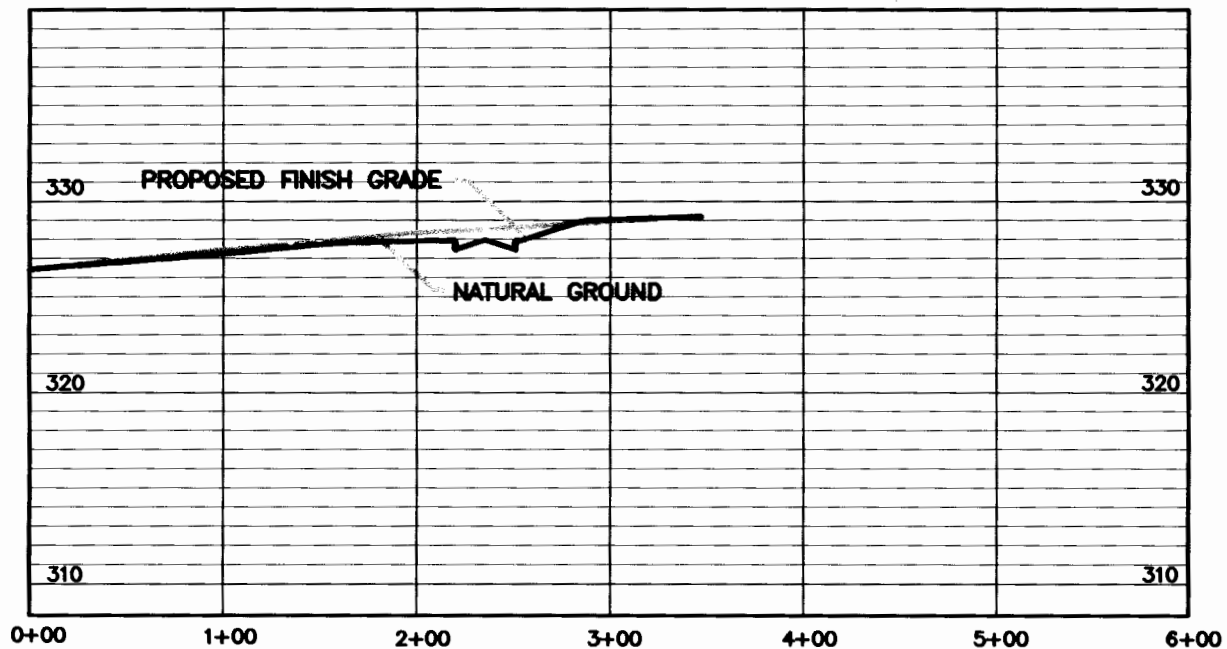
LIVE OAKS PLACE

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ENGINEERS / LAND SURVEYORS
POST OFFICE BOX 16085
JACKSON, MISSISSIPPI 39236-6085
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JOB NO. 98-118

SCALE: 1" = 100' HORIZ.
SCALE: 1" = 10' VERT.

MARCH 16, 2004
SHEET 3



SECTION "C"
(SEE SHEET NO. 1)

ASPHALT COVERAGE = 488 C.Y.
MUCK EXCAVATION = 1,025 C.Y.
FILL MATERIAL = 285 C.Y. IN WETLANDS

CONCRETE (HOUSE FOUNDATIONS & SIDE WALKS) = 1,103.7 C.Y.
CONCRETE (CURB & GUTTER) = 282.1 C.Y.
TOTAL CONCRETE COVERAGE = 1,385.8 C.Y.

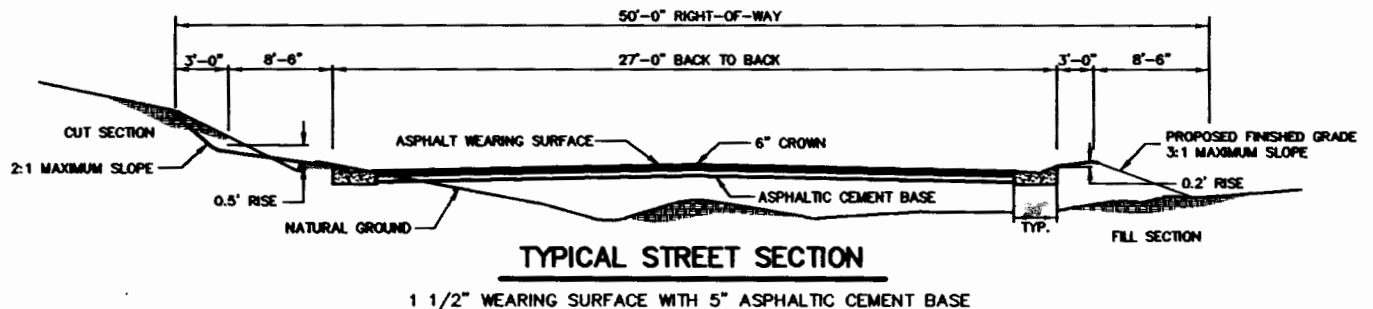


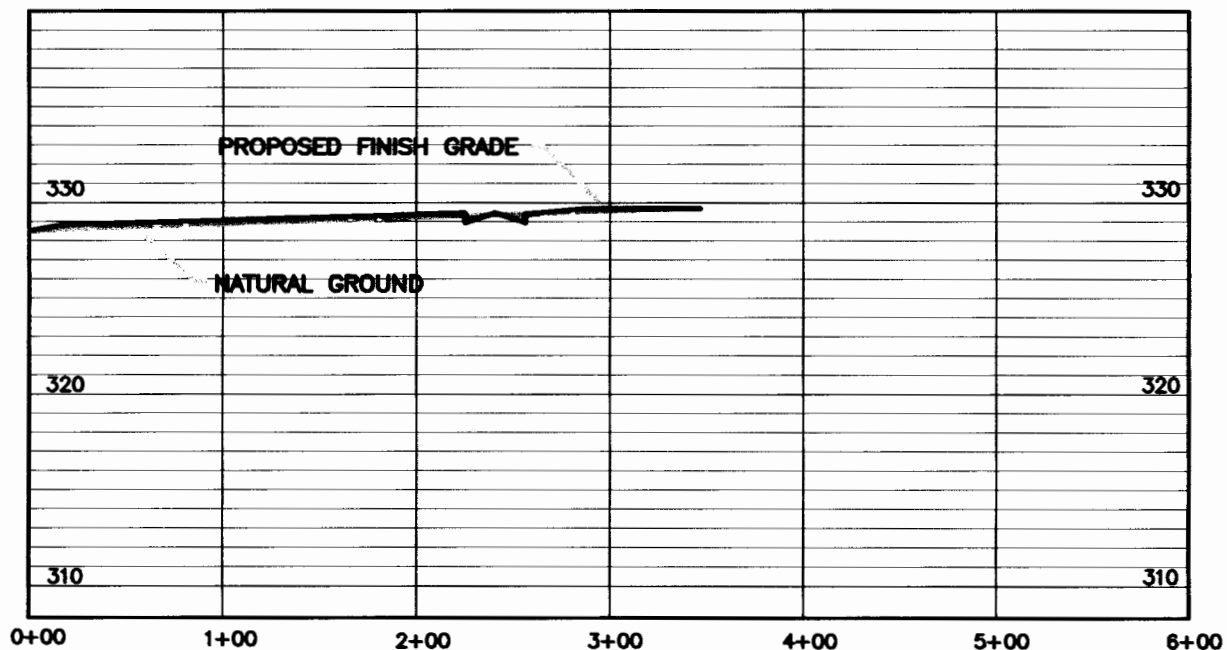
EXHIBIT
FOR
LIVE OAKS PLACE - PHASE 1, PART 5

SIT
SOUTHWEST 1/4
THE NORTHWEST
0
TOWNSHIP 5
RANKIN
CEMVK-OD-FE MVK-2003-963
LIVE OAKS PLACE

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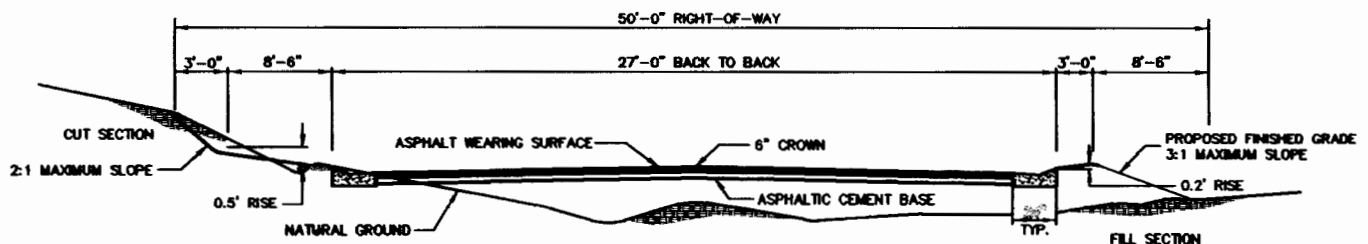
MARCH 16, 2004
SHEET 4



SECTION "D"
(SEE SHEET NO. 1)

ASPHALT COVERAGE = 262.1 C.Y.
MUCK EXCAVATION = 1,955 C.Y.
FILL MATERIAL = 3,910 C.Y. IN WETLANDS

CONCRETE (HOUSE FOUNDATIONS & SIDE WALKS) = 721.7 C.Y.
CONCRETE (CURB & GUTTER) = 88.2 C.Y.
TOTAL CONCRETE COVERAGE = 809.9 C.Y.



TYPICAL STREET SECTION

1 1/2" WEARING SURFACE WITH 5" ASPHALTIC CEMENT BASE

**EXHIBIT
FOR
LIVE OAKS PLACE - PHASE 1, PART 5**

SOUTHWEST 1/4, CEMVK-OD-FE MVK-2004-963

THE NORTHWEST 1/4

TOWNSHIP
RAN

LIVE OAKS PLACE

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SCALE: 1" = 100' HORIZ.

SCALE: 1" = 10' VERT.

MARCH 16, 2004
SHEET 5